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Human Rights Council
Thirty-seventh session
26 February–23 March 2018
Agenda item 1

Resolution adopted by the Human Rights Council on 5 March 2018

37/1. The deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic

The Human Rights Council,

Having held an urgent debate to discuss the deteriorating situation of human rights in Eastern Ghouta, in the Syrian Arab Republic, which is currently under siege by the Syrian authorities,

Recalling the principles of the Charter of the United Nations and all relevant resolutions of the General Assembly, the Security Council and the Human Rights Council, the most recent of which were Human Rights Council resolution 36/20 of 29 September 2017, General Assembly resolution 72/191 of 19 December 2017 and Security Council resolutions 2393 (2017) of 19 December 2017 and 2401 (2018) of 24 February 2018,

Recalling also the statement of the Secretary-General to the Human Rights Council, on 26 February 2018, including his clear position that Security Council resolution 2401 (2018) must be immediately implemented and sustained, in particular, to ensure the immediate, safe, unimpeded and sustained delivery of humanitarian assistance, the evacuation of the critically sick and wounded, and the alleviation of the suffering of the Syrian people, as well as his reiteration that all parties have obligations in international humanitarian law regarding the protection of civilians and civilian infrastructure,

Recalling further the press release of the United Nations High Commissioner for Human Rights of 21 February 2018 and his statement to the Human Rights Council on 26 February, in which he expressed alarm at the escalation of continued hostilities in Eastern Ghouta and called for an immediate cessation of hostilities, and stressed the imperative of granting immediate humanitarian access and ensuring swift facilitation of evacuations of the sick and wounded, as well as civilians wishing to leave, adding that any political agreement regarding Eastern Ghouta must be in conformity with international human rights law and international humanitarian law, and that no forced displacement of civilians should take place as a result of such a political agreement,

Emphasizing the need for accountability for human rights violations and abuses and violations of international humanitarian law committed by all parties to the armed conflict in the Syrian Arab Republic, and underlining in this respect the important role of the Independent International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism to Assist in the Investigation and

Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic,

1. *Strongly condemns* all violations of international humanitarian law and all violations and abuses of human rights and fundamental freedoms in the Syrian Arab Republic;

2. *Also strongly condemns* the sustained denial of humanitarian access, the repeated attacks against medical facilities and civilian infrastructure, in contravention of international humanitarian law, the indiscriminate use of heavy weapons and aerial bombardments against civilians and the alleged use of chemical weapons in Eastern Ghouta;

3. *Welcomes* Security Council resolution 2401 (2018), in which the Council demanded that all parties to the conflict cease hostilities without delay for at least 30 consecutive days to enable the safe, unimpeded and sustained delivery of humanitarian assistance and medical evacuations of the critically sick and wounded, in accordance with applicable international law, and calls for its full and immediate implementation by all parties to the conflict;

4. *Calls upon* all parties, in particular the Syrian authorities, to meet their responsibility to protect the Syrian population and to end immediately all attacks against civilians in Eastern Ghouta, while the growing number of civilian casualties in Damascus are also of concern, as delays in the implementation of the ceasefire cause more suffering on all sides;

5. *Stresses* the need to ensure accountability for those responsible for violations and abuses of international human rights law and violations of international humanitarian law in Eastern Ghouta, and also stresses that those responsible for violations and abuses of international human rights law and serious violations of international humanitarian law in all areas of the Syrian Arab Republic must be held to account;

6. *Demands* that all parties, particularly the Syrian authorities, allow safe, unimpeded and sustained access by the United Nations, their implementing partners and humanitarian operators to all people in need, including immediate access for aid deliveries and medical evacuations to and from Eastern Ghouta, and the protection of medical and other humanitarian personnel, facilities and transport;

7. *Requests* the Independent International Commission of Inquiry on the Syrian Arab Republic, upon renewal of its mandate, to urgently conduct a comprehensive and independent inquiry into the recent events in Eastern Ghouta, and to provide an update followed by an interactive dialogue on the situation to the Human Rights Council at its thirty-eighth session;

8. *Decides* to remain seized of the matter and to take further action on the situation of human rights in the Syrian Arab Republic.

16th meeting
5 March 2018

[Adopted by a recorded vote of 29 to 4, with 14 abstentions. The voting was as follows:

In favour:

Afghanistan, Australia, Belgium, Brazil, Chile, Côte d'Ivoire, Croatia, Georgia, Germany, Hungary, Japan, Mexico, Panama, Peru, Qatar, Republic of Korea, Rwanda, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Switzerland, Togo, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Burundi, China, Cuba, Venezuela (Bolivarian Republic of)

Abstaining:

Angola, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Iraq, Kenya, Kyrgyzstan, Mongolia, Nepal, Nigeria, Pakistan, Philippines, South Africa]